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REMARKS

Claims 1-7 are pending in the present Application. Claims 1 and 7 have been amended, Claim 4 has been cancelled, and Claims 8 ~ 19 have been added, leaving Claims 1 ~ 3 and 5 ~ 19 for consideration upon entry of the present Amendment. The Specification has been amended for clarity and for consistency with the claims. Support for this amendment can at least be found in the Summary, Abstract, and Claims as originally filed (e.g., the ammonium salt was not restricted to particular salts; the salts listed are clearly examples).

Claim 1 has been amended to remove an unnecessary limitation and to clarify the ammonium salts, with support in the claim as originally filed, as well as in the Abstract, and in Claim 4.

Claim 7 has been amended to clarify the Markush language.

Claims 8 ~ 19 have been added to further claim the present invention. Support for Claim 8 can be found in Claim 3 as originally filed, as well as Example 7. Support for new Claims 9 ~ 13 and 19 can at least be found in Claims 2, 3, and in the specification as originally filed.

Support for Claims 14 ~ 17 can at least be found on page 7, lines 17 ~ 18 and page 9, lines 13 ~ 14.

Support for Claim 18 can at least be found in Claim 3 as originally filed.

No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

JDS

Applicants thank the Examiner for considering the information disclosure statement filed on August 20, 2004. However, the Examiner still has not returned a signed copy of the second page of the PTO-1449 form that was filed with the information disclosure statement filed on December 20, 2003. Applicants respectfully request that the Examiner acknowledge the second page of the PTO-1449 form and initial all of the listed references contained therein.

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Claim Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 1-3 and 5-7 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to enable a person skilled in the art to which it pertains, or with which it is most nearly connected, to use and make the invention commensurate in scope with these claims. More particularly, the Examiner alleged that "it appears from applicants' specification that the Applicants invention does not include all organic acids." (Final O.A., page 2). "[O]ne having ordinary skill in the art would reasonably conclude that the Applicants do not teach the use of all ammonium salts of organic or carbonic acids, as claimed, since due to decomposition it would be uneconomical to utilize relatively expensive organic or carbonic acids." (Final O.A., page 3)

Applicants respectfully submit that there is no requirement to be "economical" even though it is often a driver for various applications. Applicants have not, and do not intent to limit the broadest claims to particular ammonium salts. Applicants' support for this position can at least be found on Page 8, lines 3 – 9, as well as in the Abstract, where the ammonium salts are not limited. Additionally, it is noted that the Examiner contends that the description of the ammonium salt as being an ammonium salt of an organic acid or carbonic acid this section is not directed to the instant invention. (Final O.A., page 3), Applicants note that merely because the type of ammonium salt was discussed on page 3 in the Background does not exclude that type of ammonium salt from the present application. However, as that was an unnecessary limitation in the claims, it has been removed.

Additionally, Applicants respectfully submit that this §112 rejection is improper with regards to independent Claim 7, since this claim states that the ammonium salt is selected from the group consisting of ammonium bicarbonate, ammonium carbonate, ammonium carbamate, or a mixture thereof. In other words, Claim 7 already comprises the Examiner's suggested language.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

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Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-3 and 5-7 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over U.S. Patent No. 5,767,322 to Zakoshansky et al. Applicants respectfully traverse this rejection.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness, i.e., that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Applicants agree with the Examiner in that Zakoshansky et al. do not teach a ratio of ammonium salt to ammonia. It is further noted that Zakoshansky et al. also fail to teach: (i) reacting in the absence of a neutralizing agent that forms solid deposits on heat-exchanging equipment, (ii) forming the ammonium salt by reacting carbon dioxide with the ammonia, and (iii) selecting the ammonium salt from ammonium bicarbonate, ammonium carbonate, ammonium carbamate, and mixtures thereof.

Considering that Zakoshansky et al. fail to teach all of these elements of the various claims, and fail to provide motivation to modify their teaching to achieve the present invention, the present claims are non-obvious in view of Zakoshansky et al.

It is believed that the foregoing amendments and remarks fully comply with the final O.A. and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and withdrawal of the rejections and allowance of the case are requested.

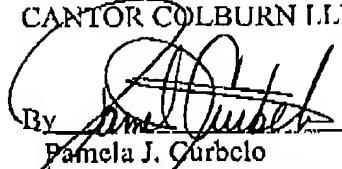
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If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 07-0862.

Respectfully submitted,

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